

COASTAL CONSERVANCY

Staff Recommendation

January 27, 2005

**PHASE III TOPANGA CREEK AND LAGOON FEASIBILITY STUDY:
RODEO GROUNDS BERM REMOVAL STUDY AND HYDROGEOLOGIC STUDY**

File No. 04-103

Project Manager: Kara Kemmler

RECOMMENDED ACTION: Authorization to disburse up to \$180,000 to the Resource Conservation District of the Santa Monica Mountains (RCDSMM) for preparation of the Rodeo Grounds berm removal study and a hydrogeological study of lower Topanga Creek.

LOCATION: Topanga Creek and Lagoon are located in Los Angeles County (Exhibit 1).

PROGRAM CATEGORY: Resource Enhancement.

EXHIBITS

Exhibit 1: Regional Location

Exhibit 2: Aerial Photo of Site

Exhibit 3: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred and eighty thousand dollars (\$180,000) for preparation of the Rodeo Grounds berm removal study and a hydrogeologic study of lower Topanga Creek to implement the Santa Monica Bay Restoration Plan, approved by the Conservancy in August 2001, subject to the condition that prior to disbursement of funds, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, budget and the names of any contractors the grantee intends to employ for the project.”

Staff further recommends that the Conservancy adopt the following findings:

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“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Division 21 of the Public Resources Code, specifically Chapter 6 (Sections 31251-31270) regarding enhancement of coastal resources;
 2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to \$180,000 to the Resource Conservation District of the Santa Monica Mountains (RCD) to: 1) characterize fill material, assess archeological and biological issues, and identify disposal options and costs of removal of the Rodeo Grounds berm and 2) prepare a hydrogeological study of lower Topanga Creek. These studies are needed for the protection and restoration of Topanga Creek and Lagoon and are part of a long-term restoration program for Topanga Creek watershed.

The Rodeo Grounds Road berm is located in Topanga Creek approximately 400 meters upstream from Topanga Lagoon. The approximately 8 meter wide, 7 meter high, 66 meter long concrete covered levee was installed without a permit by local residents to protect homes in the floodplain of the creek following the 1980 flood. The installation of the berm has resulted in several adverse impacts on the creek including: re-direction of the thalweg, obstruction of flows such that there has been significant sediment accumulation upstream of the berm, colonization of the disturbed area by *Arundo donax*, and sub-surface stream flows which interrupt fish passage and reduce potential rearing habitat for steelhead smolts. California Department of Parks and Recreation (DPR), which purchased this area in 2001 as part of 1600-acre acquisition in lower Topanga Creek watershed, intends to remove existing houses from the floodplain and restore the lower creek and lagoon areas. This means the berm may be removed. In order to remove the berm, however, information on the character of the fill material, identification of disposal opportunities, costs of removal, permits needed and archeological as well as biological constraints analysis are needed.

A March 2003 study of steelhead trout in Topanga Creek found that the contribution of groundwater, especially seeps and springs, to fish distribution and habitat quality in the creek needs to be better understood. The RCD is now proposing to undertake a hydrogeologic study of the lower creek (from just south of the town of Topanga to the ocean) to address this issue. The study will identify locations of all groundwater resources, analyze the springs and seeps in relation to geologic and other physical features and fish habitat distribution, characterize their inputs to the overall water budget, and develop a list of mitigation measures to protect them during reconstruction of Topanga Canyon Boulevard (State Highway 27) which parallels the creek for much of its length.

The RCD and DPR are collaborating on this project with the RCD taking the lead as project manager. DPR's Southern Service Center will work with the RCD to provide technical services

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for the project to address the archeological, biological, and California Environmental Quality Act (CEQA) components of the studies.

The Southern California Wetland Recovery Project, the Santa Monica Bay Restoration Commission's Bay Restoration Plan, and the Topanga Creek Watershed Management Study have each identified restoration of the Topanga Creek and Lagoon system as a priority action.

Site Description: Topanga Creek Watershed covers 18 square miles (12,400 acres) on the southeastern side of the Santa Monica Mountains. It is the third largest of the 28 watersheds draining into Santa Monica Bay. The watershed is characterized by steep-sided canyons and narrow creek channels, and is crisscrossed by several small faults. Year-round flows have been consistently reported in the lower five-mile reach of the creek for almost 40 years, even during the drought of the 1980s. Populations of endangered steelhead trout and tidewater goby have been documented in the watershed since 2001.

Topanga Lagoon is within Topanga County Beach, which is visited by close to 750,000 people each year. Historic photos and maps show the lagoon formerly extended well beyond its present boundaries. This lagoon provided both estuarine and riparian habitat critical to numerous species, including tidewater goby and steelhead trout.

Historic human activity has reduced both biological abundance and diversity in the watershed. The resident human population has doubled from 6,000 in 1980 to almost 12,000 presently. State Highway 27 (Topanga Canyon Blvd.) is a major thoroughfare used by thousands of commuters daily. Brush clearance for fire safety is having a huge impact on Topanga Creek, increasing storm-water run-off, sedimentation, and erosion. Sediment loads into the creek system are also dramatically influenced by development of the upper watershed, its associated urban runoff, and increased fire frequency. This has resulted in changing the magnitude and frequency of runoff and sediment delivery into Topanga Lagoon and the lower reaches of Topanga Creek, and adverse impacts on habitat values.

Project History: The Topanga area has a long history of community-initiated efforts to protect the environment. In July 1998, the RCD convened the Topanga Watershed Committee, a voluntary stakeholder group consisting of landowners and key agencies to provide a forum for integrated planning efforts in the watershed.

The RCD, with grants from the Coastal Conservancy and several other cooperating agencies, has been leading efforts to plan for the restoration of Topanga Lagoon and its watershed. Phase 1 of this effort produced the *Topanga Creek Watershed and Lagoon Restoration Feasibility Study*. This study provides detailed summaries of overall watershed conditions, describes the watershed's critical problems, analyzes several potential solutions, and summarizes feasible alternatives. At the same time that study was being developed, DPR acquired the whole of the Lower Topanga Creek area as an addition to Topanga Creek State Park. The purchase of those 1,600 acres from the L.A. Athletic Club was completed in August 2001, and the land has now been turned over to DPR for administration. An Interim Plan was adopted for the area, and efforts begun to end existing private leases and resolve the private tenancies on the land.

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Phase II of the Topanga Creek and Lagoon feasibility study was funded through a \$233,000 Santa Monica Bay Restoration Project (SMBRP) grant. The Conservancy provided \$77,000 for the Topanga Lagoon Soil Characterization studies, which were designed to provide the remaining piece of that study effort. The Soil Characterization Study determined that the fill material is between 21 - 30 feet, only a small portion of the fill material is suitable for nearshore disposal, and that a portion of the fill on the southwest side of the creek needs further examination since it may have high enough levels of arsenic and lead to qualify as hazardous materials requiring special handling and disposal. In 2004, the necessary Caltrans initiation documents (PSR/PDS) for restoring Topanga Lagoon and “the Narrows” portion of Topanga Creek were completed with funding from the Conservancy.

The proposed studies represent the next phase of the Topanga Creek and Lagoon Restoration effort. The berm removal study and hydrogeologic study were identified as priority actions in the overall Topanga Creek Restoration Program, which integrates four key studies that identify priority sites and provide recommendations for further studies that will lead to on-the-ground restoration projects.

The proposed project has been adopted as a Tier 1 priority of the Southern California Wetland Recovery Project (SCWRP) Work Plan by the SCWRP Governing Board.

PROJECT FINANCING:

Coastal Conservancy	<u>\$180,000</u>
Total Project Cost	\$180,000

The anticipated source of Conservancy funds is the “California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund” (Proposition 40). This funding source may be used for rehabilitation, restoration, protection, and development of land and water resources in accordance with the provisions of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) provides for the Conservancy’s participation in a program of coastal resource enhancement. The proposed authorization would facilitate the study and possible enhancement of wetland and riparian resources at Topanga Creek and Lagoon that have become degraded due, in part, to urban development. The proposed feasibility study may also lead to the enhancement of the natural and scenic character of the area, and the ability of the watershed to support steelhead and other endangered species.

Accordingly, the proposed project is consistent with Section 31251, under which the Conservancy may award grants to local public agencies for projects that seek to remedy loss of natural and scenic values because of natural or human-induced events.

Public Resources Code Section 31252 specifies that “[a]ll areas proposed for resource enhancement by a state agency, local public agency, or nonprofit organization shall be identified

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in a certified local coastal plan or program as requiring public action to resolve existing or potential resource protections problems or shall be so identified in other local plans which the commission determines to be consistent with the policies and objectives of Division 20 (commencing with Section 30000).” No local coastal program has yet been certified for the project area. Public Resources Code Section 31253 provides that the Conservancy “may provide up to the total cost of any coastal resource enhancement projects. . . .” Consistent with this section, staff is recommending that the Conservancy authorize funds to continue the process of evaluating the enhancement of the resources of Topanga Creek and Lagoon.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

The proposed project is consistent with **Goal 5, Objective A** (protect, restore and enhance coastal habitats) by identifying threats to coastal resources and priority areas for resource enhancement, such as restoring areas of the creek that provide sensitive fish habitat. These two studies also serve to further develop and proceed to implement the resource enhancement plans. Additionally, the Conservancy is partnering with local and state agencies in the efforts to restore Topanga Creek and Lagoon. The ultimate outcome of the proposed studies will be to effect a restoration of many acres of wetland, which is habitat for two sensitive fish species.

The proposed project is consistent with **Goal 5, Objective B** (preserve and restore habitat corridors) because the studies serve as part of the development of a permanent restoration and protection of the Topanga Creek corridor, which is significant habitat for the federally endangered southern steelhead and tidewater goby, as well as other aquatic species of concern. In addition, the stream corridor is used by multiple reptile and amphibian species and hundreds of bird and mammal species. The native vegetation along Topanga Creek provides suitable habitat and important wildlife movement connectivity to other areas of the Santa Monica Mountains.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the “Consistency with Conservancy's Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Support of the public:** The proposed project has the support of elected officials including Los Angeles County Supervisor Zev Yaroslavsky, Senator Sheila Kuehl, Assemblymember Fran Pavley, public agencies, including the National Parks Service and Santa Monica Mountains Conservancy, environmental organizations, such as Heal the Bay, and community groups. See Exhibit 3, Letters of Support.

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4. **Location:** The proposed project is located in the coastal zone within Los Angeles County in an area that does not have a certified local coastal program.
5. **Need:** The financial support and participation of the Conservancy is critical for the success of this project. The Conservancy is working with the RCD and Santa Monica Bay Restoration Commission to coordinate efforts with regulatory agencies and the multiple landowners (DPR, Los County Angeles Department of Beaches and Harbors [LACDBH], and Caltrans) as part of an integrated interagency effort to develop a workable restoration plan. The berm removal and hydrogeologic studies have been identified for Conservancy funding as part of that coordinated program.
6. **Greater-than-local interest:** Restoration of coastal wetlands has great priority at both a state and nationwide level. This is especially true where southern steelhead are present and utilize these wetlands, as in Topanga Creek and Lagoon. Southern steelhead has been designated as a federally endangered species, and the range of this designation has been extended south to San Diego County in part because of its presence in the Topanga watershed. The Department of Fish and Game (DFG) has established restoration of the southern steelhead as a statewide priority. Moreover, the Lagoon is home to a population of another endangered species, the tidewater goby. Such statewide and national concerns make the restoration of Topanga Lagoon a goal of greater than local interest.

Additional Criteria

7. **Urgency:** There is an opportunity to apply for funding for implementation of the berm removal project from DFG in May 2005; however, the studies that are the subject of this grant are essential to inform the grant application for the removal of the berm. Thus, approving the grant at this time is necessary to allow the studies to be completed in time to apply for potential funding to remove the berm.
8. **Resolution of more than one issue:** The scope of the proposed studies would encompass resource enhancement and water quality. This project could help resolve concerns over wetland restoration, protection of groundwater resources and declines in spawning habitat of a federally-listed threatened species.
12. **Readiness:** As the RCD and DPR are preparing to submit a grant application for implementation of the berm removal project in May 2005, the RCD has prepared a work plan and is ready to begin work on the hydrogeologic study and berm removal study as soon as the proposed project is approved.
13. **Realization of prior Conservancy goals:** The Conservancy has been involved in resource protection, enhancement, and restoration projects within the Santa Monica Bay watershed for more than a decade, including projects focused on the remaining coastal wetlands within the Bay. The Conservancy provided funding and project support for the overarching framework of planning for the restoration of Topanga Lagoon and its watershed. That effort produced the 2002 *Topanga Creek Watershed and Lagoon Restoration Feasibility Study*. That study analyzed several possible solutions, and summarized potentially feasible alternatives to pursue for further evaluation. This project will help accomplish the next step toward fulfillment of the Conservancy's goals for the Topanga watershed and the implementation of the Santa Monica Bay Restoration Plan, adopted by the Conservancy in August 2001.
15. **Cooperation:** The Santa Monica Bay Restoration Commission, RCD, DPR, Caltrans, LACDBH, Topanga Creek Watershed Committee, and a broad range of interested and affected stakeholders including local residents, environmental groups, and local, regional,

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and state agencies are all cooperating in this coordinated effort to restore the resources of Topanga Creek and Lagoon.

CONSISTENCY WITH COASTAL ACT POLICIES:

The proposed project would be consistent with the planning and management policies contained in Sections 30230, 30231, and 30233(a)(7) of the Public Resources Code. Section 30230 states: “Marine resources shall be maintained, enhanced, and where feasible, restored.... Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.” Section 30231 states “The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored” Section 30233(a)(7) states, “The diking filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects and shall be limited to the following: . . . (7) Restoration purposes. . . .” Consistent with these policies, this project would help develop a plan specifically designed to restore the resources of Topanga Creek and Lagoon, sustain its biological productivity, and maintain optimum populations of marine organisms in the Creek, Lagoon and surrounding waters. Consistent with Section 30233, the project will help identify the least environmentally damaging feasible alternative and feasible mitigation measures to minimize adverse environmental effects. While at this time the project consists of planning only, its ultimate objective, restoration of the creek and lagoon, is a specifically permitted use under Section 30233(a)(7). For these reasons, the project is consistent with the policies of the Coastal Act.

There is currently no certified Local Coastal Program (LCP) for the proposed project area.

COMPLIANCE WITH CEQA:

The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) in part under 14 Cal. Code of Regulations Section 15262 as it involves project feasibility analyses and studies for possible future actions.

Additionally, the project is categorically exempt under Section 15306 because it consists of basic data collection activities which do not result in a serious or major disturbance to an environmental resource, as part of a study leading to an action that has not yet been approved by a public agency. Staff will file a Notice of Exemption upon approval of the project.